

Notice of Allowability

Application No.

10/624,718

Examiner

Jeffrey Sharp

Applicant(s)

ALLEN ET AL.

Art Unit

3677

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Fax received 16 May 2005 (Responsive to Amendment filed 06 May 2005).
2. ☒ The allowed claim(s) is/are 7-12.
3. ☒ The drawings filed on 21 July 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

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EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a fax communication from Nellie C. Kaufman on 16 May 2005.

The application has been amended as follows:

Amendments to claim 7:

Inserted **one of** before "at least a first fastener and a second fastener" on line 8.

Inserted **arcuate** after "a smaller diameter" on line 11.

Inserted **arcuate** after "a larger diameter" on line 15.

Inserted **through said larger diameter arcuate portion** after "member" on line 18.

Inserted **through said larger diameter arcuate portion** after "said mounting member" on line 19.

Amendment to claim 12:

Inserted the following after step "f"):

g) for each mounting device, prior to removing said first fastener from said mounting member, placing said retainer member in said unlatched mode while securely retaining said retainer member within said mounting member, whereby said first fastener may be linearly removed from said mounting member; and

h) for each mounting device, subsequent to inserting said second fastener into said mounting member, placing said retainer member in said latched mode whereby said second fastener may not be linearly removed from said mounting member.

Cancelled claim 13.

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The following is an examiner's statement of reasons for allowance:

Allen US-6,682,282 fails to show a retainer member as disclosed plus the function and methods thereof.

Munro US-2,948,317 fails to show an "unlatched" mode wherein the retainer member remains within the mounting member (i.e., "while securely retaining said retainer member within said opening in said mounting member"). In order for Munro to achieve an "unlatched" mode, the entire retainer member would have to be completely removed from the mounting member.

Kann US-2,919,736 suggests two arcuate portions on a retainer member, but fails to suggest floatation means provided to the mounting member and fails to show compatibility with two fasteners having a different thread type.

Hoss et al. US-6279,754 shows a retainer member, but fails to suggest two arcuate portions on said retainer member, and fails to show two fasteners having different thread types.

Therefore, the prior art does not anticipate or fairly suggest to be obvious, each and every limitation found in the instant independent claims 7 and 12.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

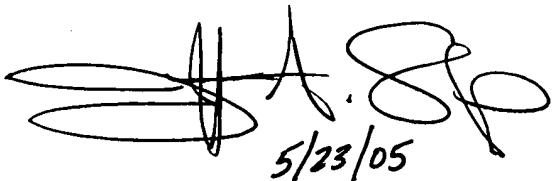
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey Sharp whose telephone number is (571) 272-7074. The examiner can normally be reached on 5:30 am - 4:00 pm Mon-Thurs..

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, J.J. Swann can be reached on (571) 272-7075. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JAS



5/23/05



ROBERT J. SANDY
PRIMARY EXAMINER